

STATE OF TENNESSEE

PUBLIC CHAPTER NO. 430

HOUSE BILL NO. 234

By Representatives Todd, Moore, Faulkner

Substituted for: Senate Bill No. 275

By Senator Ketron

AN ACT to amend Tennessee Code Annotated, Section 38-8-116, relative to law enforcement shooting ranges.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 38-8-116, is amended by designating the existing language as subsection (a) and by adding the following new subsections:

(b) A law enforcement officer, acting as an individual and not as an employee, agent or on behalf of any governmental entity, who has retired in good standing, as determined solely by the chief law enforcement officer of the retired officer's law enforcement agency, may utilize any one of the following methods to meet the annual requirements to carry a firearm that has been shipped or transported in interstate or foreign commerce in the same manner and to the same extent as authorized for an active law enforcement officer to carry a firearm of the same type:

(1) Obtaining a photographic identification issued by the agency from which the individual retired from service as a law enforcement officer that indicates that the individual has, not less recently than one (1) year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the agency to meet the standards established by the agency for training and qualification for active law enforcement officers to carry a firearm of the same type as the concealed firearm;

(2) Meeting the standards established by the Tennessee peace officer standards and training commission for qualification for active law enforcement officers to carry a firearm of the same type by qualifying at and obtaining such an annual certification directly from the Tennessee peace officer standards and training commission; or

(3) Upon payment of any customary associated fees, utilize a private shooting range and engage the services of a certified firearms instructor to provide the training and verify that the retired law enforcement officer has met the standards established by the Tennessee peace officer standards and training commission for qualification for

active law enforcement officers to carry a firearm of the same type. The certified firearms instructor is authorized to issue a certificate indicating that the retired law enforcement officer has met the applicable standards.

(c) The Tennessee peace officer standards and training commission shall maintain a list of approved certified firearms instructors, which may include any instructor utilized by a person to receive a handgun carry permit under § 39-17-1351, that it considers qualified to train and verify that a retired law enforcement officer has met the standards established by the Tennessee peace officer standards and training commission for qualification for active law enforcement officers to carry a firearm of the same type.

(d) A retired officer may bring the certificate issued by the certified firearms instructor pursuant to subsection (b)(3) to the Tennessee peace officer standards and training commission. If the certificate was issued by an instructor who is on the peace officer standards and training commission's approved list, the commission shall issue the officer a certification that the officer has met the standards established by the Tennessee peace officer standards and training commission for qualification for active law enforcement officers to carry a firearm of the same type. A certificate so issued by the Tennessee peace officer standards and training commission shall be considered a "certification issued by the State" for purposes of 18 U.S.C. § 926C (d)(2)(B).

(e) The Tennessee peace officer standards and training commission is authorized to establish and charge a fee for issuing a certification under the provisions of this section.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: June 3, 2009



KENT WILLIAMS, SPEAKER
HOUSE OF REPRESENTATIVES



RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 12th day of June 2009



PHIL BREDESEN, GOVERNOR